

REMARKS

Claims 1-3 are all the claims pending in the application.

Claims 1-3 are rejected.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morcos et al. (U.S. Patent No. 5,677,963) in view of Nonnenmann (U.S. Patent No. 4,242,606).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morcos et al. (U.S. Patent No. 5,677,963) in view of Lathrop (U.S. Patent No. 3,659,124)

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morcos et al. (U.S. Patent No. 5,677,963) and Lathrop (U.S. Patent No. 3,659,124) in view of Nonnenmann (U.S. Patent No. 4,242,606).

The Applicants traverse the rejections and request reconsideration.

Detailed Comments

Claim Rejections Under 35 U.S.C. § 103

Rejection of Claim 1 based on Morcos et al. in view of Nonnenmann

In maintaining the rejections based on Marcos and Nonnenmann, the Examiner contends that some of the features which the Applicants have argued are not present in the claims. To further clarify the subject matter the Applicants respectfully amend claim 1 to recite explicitly that the reinforcing beam is fixed to the armature coil and is operable to move with the armature coil.

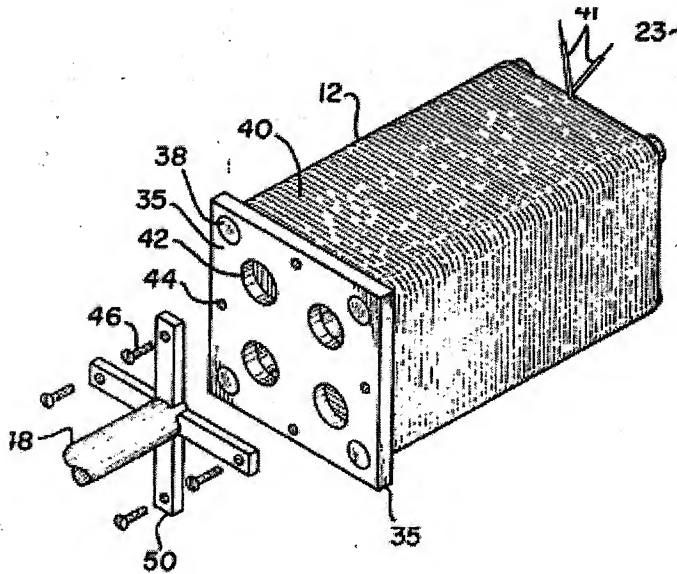
The Applicants reiterate that the core 108 of Marcos cannot be considered to be a “reinforcing” member, since it provides no reinforcement to the coil. The Applicants

respectfully submit that the Examiner incorrectly construes the core 108 to be a reinforcing member, while admitting that it is made of a magnetic material. However, the Examiner contends that the non-magnetic rod 71 can be substituted into Morcos. However, the Applicants respectfully note that if any non-magnetic rod is substituted in Morcos for the core 108, it will not let magnetic flux pass through. As shown in Figs. 2, 3, 4, 6 and 7, the core is a magnetic path and lets the magnetic flux pass through. If such a passing of the magnetic flux is impeded (as would be the case, if the non-magnetic rod of Nonemman is substituted therein) Morcos not function as a voice-coil motor, thereby, destroying the intended purpose of the Morcos apparatus.

A skilled artisan would not have found it as a matter of common sense to make such a modification and combination as noted above because the results are not only not predictable, they are unworkable as it would destroy the purpose of the Marcos device. The rejection of claim 1 based on the combined teachings of Morcos and Nonnenmann is clearly at odds with the Supreme Court decision in *KSR Int'l. Co. v. Teleflex, Inc.*

Rejection of Claim 2 based on Morcos et al. in view of Lathrop

The Applicant respectfully amends claim 2 to clarify that the reinforcing member is a reinforcing ring. The Examiner refers to Fig. 6 of Lathrop in alleged support of her position that Lathrop teaches a reinforcing member which is shaped like the coil and provided at one end of the coil. However, the only component shown in Fig. 6 that is positioned at the end of the coil is the plate 35. The Applicant respectfully submits that that this plate cannot be construed to be equivalent to the reinforcing ring at least because it is not shaped like the coil and it is not a ring.



Rejection of Claim 3 based on Morcos et al. and Lathrop in view of Nonnenmann

Claim 3 requires both a reinforcing member at one end and a reinforcing beam in the substantial center. Therefore, it appears to require a combination of the limitations in claims 1 and 2.

Claim 3 should be allowable for the same reasons as claims 1 and 2.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 10/516,460

Attorney Docket No.: Q85159

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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